



**MEMO ENDORSED**

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February 5, 2024

*Via ECF*  
Hon. Valerie E. Caproni, U.S.D.J.  
United States District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Kwasnik v. Oxford Health Insurance, Inc., et al.*  
Civil Action No. 1:22-cv-04767-VEC

Dear Judge Caproni:

This office represents defendant Oxford Health Insurance, Inc. (“Oxford”) in the above-referenced matter. With the consent of counsel for the Plaintiff, we write to seek adjournment of the conference scheduled for February 7, 2024.

On February 2, 2024, the Court ordered that the parties appear before the Court on February 7, 2024 for a conference concerning the parties’ pending cross-motions for summary judgment. (Doc. No. 94). The undersigned lead counsel for Oxford, who will be attending the conference on behalf of Oxford, has a prior scheduling conflict on February 7, but is available on February 6 or February 8, 2024. Plaintiff’s counsel has advised that he is available in the afternoon of February 6, 2024. Accordingly, based on the availability of the parties’ counsel, it is respectfully requested that the conference be rescheduled from February 7 to the afternoon of February 6, 2024.

This is Oxford’s first request to reschedule the February 7, 2024 conference. Plaintiff’s counsel does not object to Oxford’s request.

Respectfully submitted,  
s/Michael H. Bernstein  
Michael H. Bernstein

cc: Richard Kwasnik, Esq. (via ECF)

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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 2/5/24

Application GRANTED. The conference scheduled for **February 7, 2024** is ADJOURNED to **February 6, 2024** at **2:45 P.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007.

SO ORDERED.

2/5/24



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE